

REMARKS

Claims 35-41 are currently pending in the present application. Reconsideration and reexamination of the claims, as amended, are respectfully requested.

The Examiner rejected Claims 35-41 under 35 U.S.C. § 102(e) as being anticipated in view of Moller (U.S. Patent No. 6,598,074). This rejection is respectfully traversed with respect to the amended claims.

As previously communicated, the present invention as claimed is directed to apparatus and software for facilitating joint composition of a musical piece by a plurality of users. Specifically, music data is composed and edited on a server in response to instructions from a plurality of client terminals. The server updates the music data each time the music data is edited by a user, and sends the latest version of the revised music data in response to an update request from a client terminal.

The claims have been amended to claim further aspects of the invention. Specifically, the claims have been amended to clarify that the server and client apparatus transmit and receive data directly without any intervening devices. The claims have also been amended to clarify that the server apparatus treats and saves the music data in general text format, with the music data being convertible to MIDI format by either the server or client apparatus for purposes of musical performance.

Moller discloses a method for producing music sequencer data via plural users on a network. Moller does not, however, contain any disclosure or suggestion of direct communication between server and client apparatus, storing of music data in text format, or converting music data from text format into MIDI format by the server or client apparatus. Rather, Moller discloses providing a


sequencer station between the server and each client device. Accordingly, it is submitted that Moller does not anticipate, nor make obvious, amended Claims 35-41 of the present application.

In view of the above, Applicants respectfully submit that all of the pending claims are in condition for allowance. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 393032021900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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